

MARK D. FOWLER, Bar No. 124235  
[mark.fowler@dlapiper.com](mailto:mark.fowler@dlapiper.com)  
CLAYTON THOMPSON (Admitted Pro Hac Vice)  
[clayton.thompson@dlapiper.com](mailto:clayton.thompson@dlapiper.com)  
DAVID ALBERTI, Bar No. 220625  
[david.alberti@dlapiper.com](mailto:david.alberti@dlapiper.com)  
CHRISTINE K. CORBETT, Bar No. 209128  
[christine.corbett@dlapiper.com](mailto:christine.corbett@dlapiper.com)  
YAKOV M. ZOLOTOREV, Bar No. 224260  
[yakov.zolotorev@dlapiper.com](mailto:yakov.zolotorev@dlapiper.com)  
CARRIE L. WILLIAMSON, Bar No. 230873  
[carrie.williamson@dlapiper.com](mailto:carrie.williamson@dlapiper.com)

DLA PIPER LLP (US)  
2000 University Avenue  
East Palo Alto, CA 94303-2214  
Tel: 650.833.2000  
Fax: 650.833.2001

Attorneys for Defendant/Counterplaintiff,  
Sun Microsystems, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NETWORK APPLIANCE, INC.,  
Plaintiff/Counterdefendant,  
v.  
SUN MICROSYSTEMS, INC.,  
Defendant/Counterplaintiff.

CASE NO. C-07-06053 EDL

**[PROPOSED] ORDER AND  
STIPULATION REGARDING BRIEFING  
SCHEDULE FOR MOTIONS TO AMEND  
INFRINGEMENT AND/OR INVALIDITY  
CONTENTIONS AS MODIFIED**

Pursuant to the Court's June 19, 2009 Order Regarding Discovery Letters; Order Denying Shortened Time on Sun's Motion to Strike Portions of Network Appliance, Inc.'s Expert Reports, Sun Microsystems, Inc. ("Sun") and Network Appliance, Inc. ("NetApp"), by and through their undersigned attorneys of record, hereby stipulate and agree as follows:

(1) The parties shall file any motions to amend infringement and/or invalidity contentions no later than July 16, 2009;

(2) Opposition briefs to any motions to amend infringement and/or invalidity contentions shall be filed no later than July 30, 2009;

(3) Reply briefs to any motions to amend infringement and/or invalidity contentions shall be filed no later than August 6, 2009;

(4) The hearing on any motions to amend infringement and/or invalidity contentions shall be scheduled for August 20, 2009 at 2:00 pm in Courtroom E, 15th Floor, of the above-titled Court.

Dated: July 10, 2009

DLA PIPER LLP (US)

/s/ Christine K. Corbett

MARK D. FOWLER  
CHRISTINE K. CORBETT

Attorneys for Defendant,  
Sun Microsystems, Inc.

Dated: July 10, 2009

/s/ Jeffrey Homrig

MATTHEW D. POWERS  
EDWARD R. REINES  
JEFFREY G. HOMRIG  
JILL J. HO  
PATRICIA YOUNG (Admitted *Pro Hac Vice*)  
WEIL, GOTSHAL & MANGES LLP  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100

Attorneys for  
NetApp, Inc.

**IT IS SO ORDERED.**

Dated: July 15, 2009

ELIZABETH  
United States

